



**AGENDA
CITY OF BELTON
PLANNING COMMISSION MEETING
MONDAY, NOVEMBER 1, 2010 - 7:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET**

- I. CALL MEETING TO ORDER

- II. ROLL CALL

- III. APPROVAL OF THE MINUTES OF THE OCTOBER 18, 2010 PLANNING COMMISSION MEETING

- IV. CASES – SUP10-15
 - A. Consideration of a Special Use Permit application for a vehicle sales lot at 300 N. Scott.

- V. DIRECTOR'S REPORT

- VI. NEXT MEETING DATE: November 15, 2010

- VII. ADJOURNMENT

MEETING MINUTES

OCTOBER 18, 2010

Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
October 18, 2010

CALL TO ORDER

Chairman Holly Girgin called the meeting to order at 7 p.m.

ATTENDANCE

Commission: Chairman Girgin, Mayor Pro Tem Gary Lathrop, Councilman Bobby Davidson, Commissioners Sally Davila, Tim McDonough, Jeff Fletcher, Scott VonBehren, and Mike Van Eaton.

Staff: Jay Leipzig, Community Development Director; Jason Webb, Fire Marshal; Robert Cooper, City Planner; and Ann Keeton, Community Development Secretary.

Absent: Commissioner Larry Thompson

MINUTES

Commissioner VonBehren moved to approve the minutes of the October 4, 2010 Planning Commission meeting. The motion was seconded by Commissioner Fletcher. All members present voted in favor, and the motion carried.

DISCUSSION – Minimum Requirements

Mr. Leipzig brought up a topic for clarification that was discussed at the last meeting. He explained that during a review of projects/plans, staff checks to ensure the minimum code requirements have been met. The Commission and staff can make recommendations above the minimum standards according to Mr. Leipzig. Mr. Leipzig announced that in the future, staff reports will include the minimum code requirements, staff recommendations, and any additional committee recommendations. He went on to say the requirements and recommendations will be presented in a table format. Councilman Davidson suggested the staff reports should include the improvements above the minimum standard that the developer has agreed to. Commissioner Davila expressed her appreciation of the inclusion of the City's minimum requirements in the staff report.

DISCUSSION – Future Land Use Map

Mr. Leipzig distributed an outline of the process (attached) to update the City's Future Land Use Map. According to Mr. Leipzig the updated zoning map is to be reviewed by the City Council tomorrow night, the Unified Development Code (UDC) will take effect in January, 2011 and the next step is to develop a Future Land Use Map. He went over the proposed timeframe for the implementation of the map:

Nov/Dec 2010 – *Public Awareness*: Mr. Leipzig mentioned several methods that will be used to notify the public of the approval process.

Dec/Jan 2010/2011 – *Plan Development by Staff*: Staff meetings to review current information and analyze future development. Mr. Leipzig listed several city, park, school district and county documents that will be reviewed during this process.

Jan/Feb 2011 – *Development of Plan by Key Stakeholders*: Mr. Leipzig reported that a draft preliminary map will be reviewed by a group of community stakeholders.

March 2011 – *Public Comment and Planning Commission Consideration*: Receive public input at three public meetings, and a public hearing at a Planning Commission meeting.

April 2011 – *City Council Consideration*: Map will be presented to the City Council for consideration and approval.

Mr. Leipzig indicated this proposed schedule may change but he expressed hope that the Future Land Use map will be approved by the Spring/Summer of 2011.

DIRECTOR'S REPORT

Mr. Leipzig reported the Capital Improvement Plan (CIP) is developed by the City administration and presented to the Commission each year. This year the Public Works Director has suggested the CIP process involve appointed committees to help prioritize projects.

The TIF hearing scheduled for October 20, 2010 has been rescheduled for November 10, 2010.

In answer to Commission questions regarding the Future Land Use Map, Mr. Leipzig said the map is a 25 to 30 year planning map and amendments can be made to the map.

Mr. Leipzig reported the Site Plan Review Committee met with the applicant of a Special Use Permit application for a car sales lot at 300 N. Scott. He said the committee came up with a parking recommendation for the site after a discussion about the number of cars that should be parked in front of the building. The committee's proposed parking design could accommodate 16 cars which is an increase over the six cars that were proposed during a planning commission meeting.

ADJOURNMENT

Commissioner VonBehren moved to adjourn the meeting. Councilman Davidson seconded the motion. All members present voted in favor, and the meeting adjourned at 7:23 p.m.

Ann Keeton
Community Development Secretary

ATTACHMENT



COMMUNITY PLANNING & DEVELOPMENT
Jay C. Leipzig, AICP
Director

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MEMORANDUM

TO: Planning Commission Members

FROM: Jay Leipzig- Director

DATE: October 18, 2010

RE: Future Land Use Map

The following time line represents an implementation schedule for the preparation and approval process for the Future Land Use Map organized by Tasks for the implementation process. This plan represents the next progression of work to be completed after the Current Zoning Map and the adoption of the Unified Development Code. It is anticipated that the development of this document will entail significant discussion from the Planning Commission, City Council and other community leaders. All dates are for internal use only and staff has some flexibility in the schedule; however, the overall goal is to approve this map during the first quarter of 2011.

TASK ONE Public Awareness November/December 2010

This task would entail preliminary meetings with the Planning Commission and City Council to outline the process. Also included in this task is the notification of the media of the project, and to include updated information on the City web page, as well as the Facebook page. This component is critical to ensure positive feedback on the project as it moves forward, and is an opportunity to stress the importance of the project, and the initiative as it moves forward.

TASK TWO Development of Plan by Staff December/January 2010/2011

The development of the plan by staff will include a series of meetings with members of the Development Review Committee and key City staff to review all current information that will affect the Future Land Use Map, and analyze future development on the plan. Items to be reviewed will include Future Roadway Alignments, Capital Improvement Plans, Storm water Master Plan, Trails Master Plan, Future Parks and Recreation Plans, Future Expansion Plans from the Belton School District, and the Cass County Comprehensive Plan and Future Land Use Map.

TASK THREE Comment and Development of Plan by Key Stakeholders

January/February 2011

Once a draft preliminary map is developed by City staff, the core group will be expanded to include key stakeholders in the process. The members of this group will include representatives from Parks and Recreation, the Business Community, such as the Chamber of Commerce, Planning Commission Members, School District representatives, and Cass County officials.

TASK FOUR Receive Public Comment and Presentation of the Plan to the Planning Commission

March 2011

This task will include approximately (3) public meetings to gain input from the public on the document, and to ensure consistency with a series of Public Information meetings to gain input on the plan. Following these meetings, there will be a Public Hearing before the Planning Commission with a recommendation of approval.

TASK FIVE Presentation of the Plan to the City Council

April 2011

Following a recommendation of approval by the Planning Commission, the Future Land Use Map will be discussed at a Work Session of the City Council for additional input. Following general agreement by the City Council, there will be two readings by the City Council on the document, and then it becomes the official Future Land Use Map of the City of Belton.

SPECIAL USE PERMIT

300 N. SCOTT

VEHICLE SALES LOT



**PLANNING COMMISSION REGULAR MEETING
CITY HALL ANNEX, CITY COUNCIL ROOM
520 MAIN STREET
MONDAY, NOVEMBER 1, 2010 – 7:00 P.M.**

ASSIGNED STAFF: Robert G. Cooper, City Planner

CASE #SUP10-15 / CONTINUED

Request: Special Use Permit to allow a used car dealership to operate in a C-2 (General Commercial) District.

Location: The west side of N. Scott Avenue, just north of Carnegie Street. The street address is 300 N. Scott Avenue.

Legal Description: Unplatted

Owner / Applicant: Jalal Zakeri (building owner) / Hamid Zabet (applicant)

Size of Site: 153-ft. x 50-ft. (7,650-sq. ft.) / 0.17-acre

Sales Lot Surface Area: 52-ft. x 32-ft. (1,664-sq. ft.) / North side
37-ft. x 38-ft. (1,406-sq. ft.) / South side

Existing Zoning / Land Use: C-2 / Used Car Sales Lot ('Elite Import Auto Center, LLC')

Proposed Use: Used Car Lot

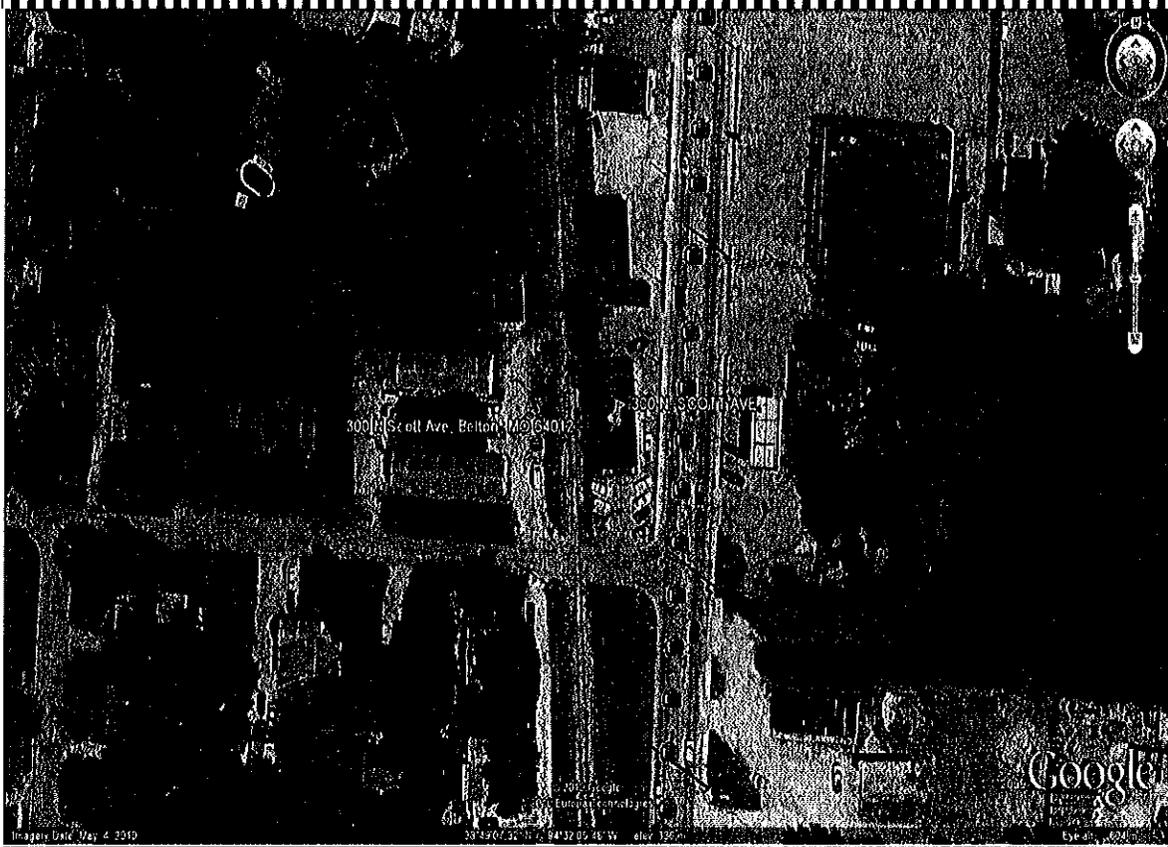
Surrounding Zoning / Land Use:

North: C-2 / Used Car Sales
East: C-2 / Used Car Sales
South: C-2 / General Commercial
West: R-1 / Railroad right-of-way & Duplex Housing

Comprehensive Plan: Commercial

Nature of Current Request

The applicant, Hamid Zabet, has contacted the City to gather information on what requirements are needed to open a used car lot. Pursuant to Appendix A of the Zoning Ordinance, a special use permit is required for all 'new' used car lots located within a C-2 (General Commercial) zoning district. Mr. Zabet, met with the planning department staff on September 8, 2010 and discussed his business plan which includes locating to 300 N. Scott Avenue. Mr. Zabet wishes to occupy the site of an existing used car sales lot.



HISTORY

The building located at 300 N. Scott Avenue was originally built in 1958 with a gross floor area (gfa) of 2,250-sq. ft. Since then, this building has subsequently been used periodically as a commercial/retail site. In 1997, during the North Scott street improvement and widening project, approximately 15-ft. of property was taken from the site to accommodate the widening project, the results of which was a reduction in available front yard space.

During March 2007, a business license was applied for and approved, to allow a used car sales and repair shop to operate at this location. An internal staff review and site inspection revealed several deficiencies pertaining to site planning as outlined in the Belton Municipal Code. These deficiencies included; no visible signage; no parking lot stripping; no exterior lighting; and an encroachment onto railroad right-of-way. These deficiencies were subsequently corrected and a City business license was issued.

No special use permit was needed at the time of submittal as it predates the current ordinance requirement.

REVIEW

During the October 4, 2010 Planning Commission meeting, the Commission voted to send the case to the Site Plan Review Committee (SPRC) to reevaluate the available off-street parking, in order to safely maximize the total number of display vehicles.

As mandated by the Planning Commission, the SPRC met on Monday, October 11, 2010. The following is a list of issues that were discussed at great length during the site plan review committee meeting:

- 1) Sight triangle at Carnegie Steet & N. Scott Ave. – traffic safety mitigation.
- 2) Fire hydrant protection – bollard installation
- 3) Building ingress/egress – fire protection
- 4) Streetscape image – visual blight
- 5) Vehicle maneuverability – minimum driving aisle width
- 6) Separate parking areas – South side for customer/employee parking to allow easy/safe access. Allow the north side for display vehicles only.

SITE PLAN REVIEW COMMITTEE RECOMMENDATION(S):

Approve the Special Use Permit for a used car sales lot, located at 300 N. Scott Avenue with the following condition(s):

- 1) Eliminate one (1) parking space within the sight triangle;
- 2) Provide a landscaped buffer within the sight triangle consisting of low-rise vegetation, i.e. bushes and flowers.
- 3) Install three (3) bollards around the existing fire-hydrant in accordance with Fire Department specifications.
- 4) Allow ten (10) display vehicles within the north parking area; allowing two (2) vehicles to park in front of the building nearest the driveway approach; and allowing two (2) vehicles to park in the driveway approach – essentially blocking access to ensure the north parking area is used for display vehicles only.
- 5) Only allow two (2) vehicles to park in front of the building.
- 6) Allow nine (9) vehicles to park within the south parking area to be used as customer/employee parking only.
- 7) Allow a total of nineteen (19) vehicles on site at any given time.
- 8) No display vehicle shall obstruct visibility, or parked in a manner which would create a hazardous condition.

- 9) No material, supplies, or merchandise shall be stored outdoors.
- 10) No Certificate of Occupancy is issued for Mr. Zabet until the site has had a final inspection for compliance with Section 12-272, Belton Municipal Code;
- 11) Special Use Permit 10-15 is reviewed by the Planning Commission in one (1) year to ensure compliance.

Planning Commission Alternatives

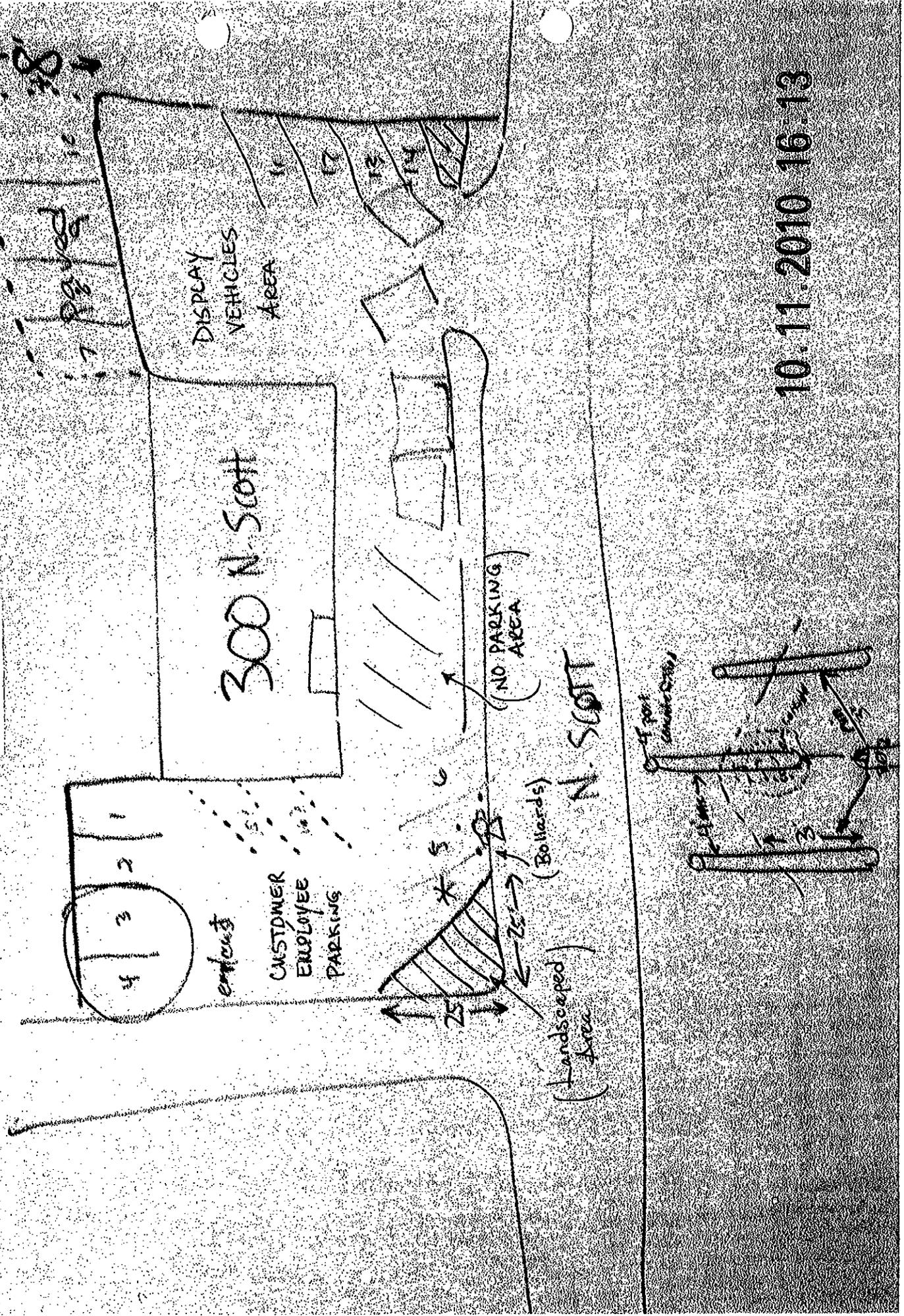
The Planning Commission has the following options available in the consideration of this application:

1. Approve the application as submitted upon finding that the requirements of Section 2, Special Use Permits, of the Belton Code have been satisfied.
2. Approve the application subject to specified conditions.
3. Table the application if additional information is needed, such as time of use or other related factors.
4. Deny the application if the required findings cannot be made or if the proposed use is found to be incompatible with the neighborhood.

Attachments:

- 1) Exhibit 'A' – SPRC recommended site layout plan

EXHIBIT 'A'



10.11.2010 16.13